

## State Capitol News

CONVICT'S TERM UP  
BUT HE IS HELD  
Habeas Corpus Writ Is-  
sued to Thwart Col-  
orado Officers

SANTA FE, Aug. 18.—A writ of habeas corpus issued from the New Mexico supreme court, upon order of Chief Justice Frank W. Parker, in an unusual case. The term of Francisco Vigil, sentenced from Colfax county to serve not more than a year and a half, for larceny of cattle, expired yesterday. The penitentiary officials here did not release the prisoner yesterday, but held him until today, acting upon request from the office of the sheriff at Trinidad, Colorado.

Counsel for the prisoner said it was the plan to turn the prisoner over tonight to a representative of the Trinidad sheriff, who intended to return to Colorado with Vigil without extradition papers. Counsel said the penitentiary officials had not seen any warrant, nor had any extradition papers been presented at the governor's office. The writ of habeas corpus directs Fidel Ortiz, warden of the penitentiary, to produce Vigil in court here Friday. By that time counsel hopes to get in touch with Judge Reed Holloman, of the first judicial district court, now in San Juan county, and get a writ of injunction to restrain the Colorado officer from carrying Vigil out of New Mexico without extradition papers.

The attorney says it is alleged his client is wanted in Colorado on five charges, but he has only the statement of Colorado officers to show that he is wanted at all.

## Whooping Cough on Increase.

Not taking into account the 52 cases of tuberculosis reported from the government hospital at Fort Bayard, the number of communicable diseases reported in the state last week was about the same as for the week before. It is shown in the bulletin from the state department of health. There were 7 cases of diphtheria, as compared with 11 the week before, while whooping cough jumped from 3 to 50 cases. Rio Arriba county shows 7 cases of malaria. The several diseases are distributed as follows:

Diphtheria—Colfax 2, Rio Arriba 1, San Miguel 4, total 7.

Gonorrhea—Bernalillo 2, Chaves 2, Colfax 3, Eddy 1, Mora 2, Luna 1, Santa Fe 1, total 14.

Malaria—Rio Arriba 1, Santa Fe 1, total 2.

Scarlet fever—Chaves 1, Colfax 2, total 3.

Syphilis—Chaves 1.

Tuberculosis—Bernalillo 11, Chaves 1, Eddy 3, Grant 23, Luna 1, Santa Fe 5, total 113.

Typhoid fever—Bernalillo 1, Chaves 1, Colfax 2, Otero 2, Rio Arriba 1, total 7.

Whooping cough—Bernalillo 1, Colfax 2, Eddy 5, Grant 4, Mora 2, San Miguel 1, total 20.

Drugs additions—Luna 1.

## FAIRBANKS AT PASTIME

Douglas Fairbanks comes to the Pastime theater today in what is probably his greatest success, "The Mollie." Everywhere this picture has been exhibited it has taken audiences by storm. It is Fairbanks in a play of unusual merit and Fairbanks at his best. It has been exhibited in the big cities at from \$1 to \$2, but will appear here under the Pastime's usual prices.

## RULES? RAU! SARAH HATES 'EM

PA1112.—Would you stay young though old? Sarah Bernhardt's latest advice is not advice at all. "I live by no rules. I take no precautions. Eggs form most of my diet. I drink champagne always and get all the fresh air I can."

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DOWNER TELLS OF  
TAX INEQUALITIESFavors Some Sort of an  
Income Levy to Rem-  
edy Conditions

BY STAFF CORRESPONDENT

SANTA FE, N. M., Aug. 18.—Need of an improvement in the administration of New Mexico's present tax laws was given further emphasis in a comprehensive statement on taxation made by George S. Downer, of Albuquerque, attorney for the Atchinson, Topoka and Santa Fe railway yesterday afternoon before the special revenue commission. What he said on this particular branch of the subject supported the declarations made at the morning session by Major J. C. Field, resident of the state farmer's association, and former president of the state tax commission.

The revenue commission, which is conducting public hearings this week, had scheduled the afternoon to hear statements and recommendations from citizens, but Mr. Downer's statement was undoubtedly detailed and unable to reach Santa Fe until today. Accordingly, the commission will be heard Thursday.

Downer said that for five years, to his certain knowledge, the railroads of New Mexico have paid their proportion of the taxes. In the view of a number of well informed persons, Downer said, the railroads have paid considerably more than their just proportion. That is to say, that while the railroads perhaps have not been overtaxed, they have suffered by reason of underpaying of other properties. In answer to a question by Chairman Hageman, Downer declared that the present administration of the tax laws in this state is not satisfactory to his company. There is little ground for complaints against his company's valuations, but, as he had explained, there is much reason to complain of the assessments, or rather the failure to assess adequately other properties. This is the fault of the system, he said, and not due to a desire on the part of officers or boards to discriminate against the railroads.

## Raps Assessors

Assessors, in many instances, were described as not qualified to discharge their important duties. In other instances they were said to be lacking in funds and the force of duties needed to put all the property on the tax rolls. As a remedy for part of the evils now existing, he believes more authority ought to be given to the central taxing board and the county assessor ought to be appointed because of fitness for the work, or selected through some sort of a civil service plan. "We would welcome placing power and responsibility in a powerful and responsible board," he asserted. "Under the present system there is nobody held responsible for the tax situation."

Answering a question from Prof. Haig, Downer said he believed that an income tax would be the most nearly equitable way to reach the great body of people now paying no taxes at all. Such a tax, in order to be wholly fair, ought to include companies and corporations, but there ought to be no double taxation. In order to avoid double taxation, there should be an offset in favor both of individuals and companies. He said that in order to use a concrete case, he would take the case of two persons. One owns an office building, a revenue bearing property, on which a tax, on a physical valuation, has been paid. Another holds stocks, bonds and mortgages, on which the state is unable to collect taxes. It would be manifestly unfair to charge the owner of the building the same rate on his income derived from rental that should be charged the possessor of the intangible holdings, the latter holdings not having been subjected to taxation. Downer conceded that a rather complicated system would have to be put into use in order to collect income taxes with-

## SHOES SOLED

## AND HEELED

here while you wait if necessary. Our machines are always ready. But the better plan is to leave the shoes here in the evening and call for them in the morning. That gives you an opportunity to be extra careful. If you haven't tried our modern shoe repair work yet, you'll save money by doing so at once.

303 W. Central

Phone 187

ALLEN'S SHOE SHOP

Green Trading Stamps Given

Abo Pass Highway  
Association Elects  
Officers at Clovis

CLOVIS, N. M., Aug. 18.—Delegates from four states met here and organized the Abo Pass Highway association by electing D. L. McDonald, Hereford, Texas, president; F. H. Jackson, Amarillo, Texas, vice president for Texas; W. R. Morley, Magdalena, vice president for New Mexico; G. W. Trimble, Vich, Oklahoma, vice president for Oklahoma; D. W. Jones, Clovis, New Mexico, secretary and G. P. Kuykendall, treasurer.

The Abo Pass route, as designated, begins at the intersection with the National Old Trails and the Ocean to Ocean highway at Belen and Socorro, thence east through Mountainair, Willard, Beleno, Vaughn, Ft. Sumner, Tatum, Melrose, Clovis, and Texas in New Mexico; Farwell, Rosita, Feoria, Hereford, Amarillo, Pampa, Pampa, Miami, Canadian, and Higgins in Texas; Arnett, Vich, Beling, Fairview, Enid, and Medford in Oklahoma, thence to Kansas City.

The route through Kansas will be designated at a meeting which will be held at Enid, Oklahoma on Monday, September 27. This route will be the shortest route between Kansas City and the Pacific coast, and has been marked from Belen to Hereford, Texas. The remainder of the route will be marked to Enid before the September convention.

out working a hardship on some of the property owners.

## Classification Plan

Prof. Haig asked him if he had much faith in the classification plan for different classes of property. He replied that he had not, for the reason that he has found that where a minimum valuation scheme is used, it happens too often that the property is assessed at the minimum of its kind or class, with absolutely no regard for its actual value.

The Santa Fe lines in New Mexico have a greater valuation than in the neighboring states of Colorado, Texas and Arizona, although in Arizona the tax rate is lower. In Kansas, where so much of the line is double tracked and volume of traffic is heavy, the valuation is \$70,000 a mile, as against \$49,000 to \$52,000 main line valuation in New Mexico, but the Kansas rate is lower. He said he regretted he had not expected to be called on to make a statement, and was not prepared with definite figures.

He did not know what proportion of property held by residents of New Mexico is of the intangible type that is now escaping taxation. Prof. Haig said that in some of the eastern states this intangible property runs as high as 50 percent of the total of all property. Mr. Downer said that while he was sure the proportion is not anywhere near so high, he had no data upon which to base an accurate estimate. Putting this property on the taxrolls would be a great step forward in New Mexico, he felt sure.

PICTURE A BRIGHT  
FUTURE FOR CITYSpeakers at C. of C. Ban-  
quet Tell of Develop-  
ment Opportunities

HARDING ELECTED BY  
VOTE OF MEMBERS OF  
CHAMBER OF COMMERCE

HARDING was elected president by a vote of members of the Chamber of Commerce at the dinner at the Y. M. C. A. last night. He won by 19 to 21 in a straw vote taken during the dinner. Col. B. K. H. Sellers and A. H. Stroup were the tellers and every person at the dinner was given a chance to vote.

About 100 persons attended the dinner of the Chamber of Commerce at the Y. M. C. A. last night. Bright prospects were held out for Albuquerque by the speakers who told of the plans for the Harvest Festival, for drainage and development of the San Juan basin.

Rabbi Bergman acted as toastmaster and Dr. Leroy S. Peters opened the program by speaking of the membership drive of the Chamber of Commerce.

A resolution was adopted unanimously endorsing the fiesta at Santa Fe. The chamber of Commerce pledged itself to cooperate with Santa Fe in this event and in urging that Albuquerque have a large delegation at the fiesta.

Secretary H. B. Watkins of the Chamber of Commerce told of the plans for the Harvest Festival and said it would put Albuquerque on the map all over the country as he had been promised an exhibit of corn from nearly every state in the union.

Admiral Well, promoter of the Santa Fe Northwestern railway, stated that the company had sold a large block of its bonds and that with the building of the railroad into Sandoval county, a territory would be opened that is rich in coal, timber, sulphur and gypsum. He said Albuquerque would be the natural outlet for all this wealth.

Dr. M. K. Wylder, chairman of the board of county commissioners, told of the progress that was being made in drainage and urged more determined efforts in this line.

M. L. Fox who has just returned from a trip to the east told of conditions there and touched on the political campaign.

## Thursday-Circus Day

You Can Save Enough at Boadway's Golden Rule Store  
on Their Anniversary Specials to Pay Your  
Way Into the Circus

Look At These Bargains  
for Thursday Only

200 pairs of Children's Slippers—  
Black, Tan, and Patent  
Leather ..... \$1.98

One Lot of Women's  
White Shoes, Pumps,  
Oxfords ..... \$3.98

One Lot of the Best Gingham, plaid and  
plaid. Full width, best  
material, a yard ..... 28c

## THESE SPECIALS ARE FOR THURSDAY ONLY

Watch Friday's Papers for an Anniversary Announcement of Specials for Friday and Saturday

## Boadway Brothers--Golden Rule Store

The Herald Takes the "Want" Out of Want Ads By GIVING RESULTS

## THE HOOVER

## Does More Than Merely Vacuum Clean

—Crapetings require more than an electric vacuum cleaning to rid them of their dirt. They should also be electrically beaten to dislodge embedded dirt and grit. They should also be electrically swept to collect stubborn clinging hairs, threads and lint.

—Only The Hoover performs these three essential cleaning functions. It is also Guaranteed to prolong the life of any rug or carpet.

—That is why The Hoover is the most popular electric cleaner and why you hear it praised so highly by its users.

—Have a Hoover demonstrated in your home or at our salesroom. Convenient terms if desired.

## The HOOVER

IT BEATS .... AS IT SWEEPS AS IT CLEANS

Albuquerque Gas &  
Electric Co.

Phone 98

"Yours for Better Service"

ALBUQUERQUE THURSDAY  
AUGUST 19

ALL NEW  
THIS YEAR  
32<sup>ND</sup> YEAR  
OF SUCCESS

GUTHRIE BROS.  
FAMOUS  
SHOWS  
WILD ANIMAL  
CIRCUS

LARGER  
ANY  
BETTER  
THAN  
EVER

SUPERB STREET  
PARADE PERFORMANCES  
2:15 P.M.  
RAIN OR SHINE  
WATERPROOF SEATS

STEVE SAVAGE, WHISTLING UMBRELLA  
1100 TO ANY LOCAL MAN WHO STAYS 10 MINUTES